



**EL CAJON POLICE DEPARTMENT  
FORENSIC LABORATORY**

100 CIVIC CENTER WAY  
EL CAJON, CA 92020  
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**LABORATORY REPORT**

**Agency Case #: 14-004264**

**Case Subjects:**

Suspect: Jose GARCIA

Victim: Officer Darren EHLERS

Victim: Officer Bob WINING

**Date of Birth:**

03/13/1980

**Related Agencies:**

14003094 San Diego Sheriff's Dept.

**Offense Code**

**Offense Date**

245(a)(2) PC

05/15/2014

**Related Case Numbers:**

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Requested by: Crime Lab Manager Julie Palos

Request Date: 05/15/2014

Report Date: 10/27/2014

Status: Admin. Reviewed

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**REQUEST INFORMATION:**

Crime Scene Investigation. This report was completed on 10/16/2014.

**INFORMATION:**

On 5/15/14 at approximately 0838 hours, I was on-duty and received a request from Crime Lab Manager PALOS to assist in the investigation of an officer involved shooting that occurred in the City of El Cajon. I arrived at the Investigations Conference Room of the El Cajon Police Department (ECPD), 100 Civic Center Way, at approximately 0912 hours for a briefing on the scene. The briefing was given by Sgt. ROBERTSON at approximately 0953 hours. According to the briefing, four (4) officers had fired their weapons on a suspect at 953 Ellen Lane in El Cajon. At the conclusion of the briefing I was assigned to process the crime scene including photography, evidence collection, and documentation. The briefing concluded at approximately 1016 hours.

**SCENE DESCRIPTION:**

Forensic Laboratory Intern [REDACTED] and I arrived at the crime scene at approximately 1050 hours on 5/15/14. The crime scene was located in a residential cul-de-sac of single detached homes on Ellen Lane between Granite Hills Drive and Gustavo Street. 953 Ellen Lane was located on the east side of Ellen Lane. When I arrived, the scene was blocked off by yellow barrier tape across Ellen Lane to the south at Gustavo Street and to the north at Granite Hills Drive. There was interior yellow barrier tape across Ellen Lane at about 931 and 932 Ellen Lane as well as at about 965 and 966 Ellen Lane. The main crime scene area was at and west of 953 Ellen Lane. Police Officers were guarding the scene inside and outside the tape. The sky was sunny and clear and the weather was very hot. There were some wind gusts during scene processing, which may have resulted in some items possibly moving.

Criminalists Lauren SAUTKULIS, Erin MULLIGAN, Monica STANTON, and Forensic Evidence Technicians John FARRELL, Sharilyn CHAPIN, and Laura ANZELONE from the San Diego Sheriff's Department (SDSD) were also present when I arrived to assist with trajectory analysis

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and firearm-related evidence documentation.

Det. BALDWIN, Det. PEARSLEY, District Attorney Investigator HOLMES, and I, as well as other personnel, were given an initial walk-through of the scene by Sgt. ROBERTSON at approximately 1114 hours. I was also present for portions of the officers' scene walk-throughs, but was given other tasks concurrently.

The residence (953 Ellen Lane) was a single story home that had white trim with blue stucco and had blue exterior siding on the garage. The front door to the house faced west and it also had a white metal security screen door. The front door was closed and locked. There was a small raised porch in front of the door with steps leading north and down to the front yard. There was one (1) metal fragment (Item #020) on top of the porch at the south end. The garage was attached to the home at the southwest corner and faced north. There was no entry to the home from the garage.

The front door of the home opened into the living room. There was a large wooden entertainment center against the south wall of the living room. The southeast corner of the living room opened into a short hallway which led to the bedrooms and bathroom. The hallway ran parallel to the living room. The north side of the living room opened up to a dining area and east of the dining area was the kitchen. There was a laundry room east of the kitchen that had a washer and dryer along the north wall. Det. PEARSLEY informed me that the suspect's wife may have hidden several items that could be used as weapons inside the washing machine under towels or blankets. Upon opening the washing machine, I saw a pink towel and white towel covering the following items in the basin:

- One (1) white plastic bottle of "Crown" brand Muriatic Acid (approx. 1/4 full) (Item #025)
- Seven (7) knives (various sizes) (Item #026)
- Two (2) pairs of scissors (Item #027)
- One (1) "King" long neck utility lighter (Item #028)

West of the house and north of the garage, there was asphalt in the front yard up to the sidewalk. There was a rectangular gravel area (parking pad) next to the asphalt, along the north side of the front yard. In the front yard west of the garage, there was a dirt area with patches of grass (mostly dead), weeds, and a tree. The tree was near the northwest corner of the garage. There was a wooden fence on the north and south sides of the house that ran perpendicular (separating the front yard from the back yard) and another wooden fence on the south side of the garage that ran parallel to the garage.

There was a dark blue Toyota Tacoma truck (CA [REDACTED]) parked facing east at the northwest corner of the front yard at the west end of the gravel area. There was another vehicle parked east of the truck near the east end of the gravel area. This vehicle was covered. South of the covered vehicle, there was a silver Chevrolet Sonic (CA [REDACTED]) parked on the asphalt facing east in front of the house. There was a silver Chevrolet Avalanche truck (CA [REDACTED]) parked on the asphalt facing east next to (south of) the Chevrolet Sonic. The Avalanche truck was parked close to the front porch of the house and the garage. We were told during the briefing that the Avalanche truck was the suspect's vehicle.

The truck had large non-standard wheels and rims. All of the truck's doors were closed and

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unlocked. The driver window and front passenger window were open. The rear passenger windows were tinted and closed. The keys were in the ignition, but the truck was not running. The gas compartment door was popped open. There was asphalt debris on the hood of the truck. There were reddish brown stains (apparent blood) on the interior side of the driver door near the window opening and on the steering wheel. There were also reddish brown stains (apparent blood) on the front passenger side wheel rim. There were defects to the rear passenger side tire and wheel rim that appeared consistent with damage from a bullet. The tire was also flat. The truck was filled with items and I saw a case of Coors Light beer on the driver side of the rear seat. For further details on the truck, refer to my Vehicle Processing report.

There was a black Sig Sauer P226 9mm handgun with magazine (S/N: 47A026595) (Item #016) on the asphalt below the front passenger corner of the truck. There were reddish brown stains on the handgun. The left side of the handgun was facing up and the barrel was facing in a westerly direction. The hammer was cocked. Det. PEARSLEY rendered the handgun safe at the scene. There was one (1) FC 9mm Luger cartridge (Item #016.01) in the chamber and eight (8) FC 9mm Luger cartridges (Item #016.02) in the magazine. The magazine capacity was ten. North of the handgun, underneath the truck, there was one (1) expended FC 9mm Luger cartridge casing (Item #014) on the asphalt. On the asphalt in front (east) of the truck, there was one (1) expended bullet (Item #015).

The garage door was open. The garage was in disarray and packed with boxes, bins, bags, furniture, and numerous other items. There was a large amount of reddish brown stains (apparent blood) on the garage floor at the north edge of the garage next to the passenger side of the truck. I collected a sample of the stains using a standard Stain Collection Kit (Item #017). Near the south edge of the stains, there was a blue pullover "SDSU" hooded sweatshirt (Item #018) in a heap on the garage floor. The sweatshirt was cut up (medical intervention) and had a large amount of reddish brown stains. See my Supplemental Report for additional details on the sweatshirt.

There was a blue Toyota Corolla (CA [REDACTED]) parked on the west curb of Ellen Lane, just north of the driveway at 954 Ellen Lane, which was west of 953 Ellen Lane. The Corolla was parked facing south. There was a silver Ford Escape Sports Utility Vehicle (CA [REDACTED]) parked facing north on the east curb of Ellen Lane, just north of the driveway at 945 Ellen Lane, which was the neighboring house to the north of 953 Ellen Lane. There were two rifles and a police shield leaning on the rear driver side tire and quarter panel of the Ford Escape.

Parked in the street, west of the driveway at 945 Ellen Lane, was a black Ford/Lenco Ballistic Engineered Armored Response Counter Attack Truck (BEARCAT) (CA Exempt 1372893), which is an ECPD SWAT vehicle. The BEARCAT was parked facing southeast in the roadway. The back doors of the BEARCAT were swung open. The hatch lid was also open and the platform below was elevated.

I was informed by Sgt. TAUB that Det. LARSON's duty weapon and badge were located in the BEARCAT. I located them in the storage compartment under the bench at the rear driver side of the BEARCAT. I photographed them and Det. PEARSLEY removed the weapon and badge for release back to Det. LARSON. These items were not involved in the incident.

Next to the elevated platform, on the driver side of the BEARCAT, there was a Penn Arms

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PGL65-40 multi-launcher, 40mm (S/N: PG53620) (Item #002) lying on its right side with the barrel facing the passenger side of the BEARCAT. The safety was off. Det. PEARSLEY rendered the multi-launcher safe at the scene. The multi-launcher had six (6) Colt 38 Short, 40 mm, expended cartridge casings in the cylinder (Item #002.01), which was the full capacity of the cylinder. We were told during the walk-through that the multi-launcher was used during the incident by Officer PITTSLEY.

There were four (4) expended 40mm sponge projectiles at the scene. The projectiles were blue dense sponge-like material with a black plastic base. One of the projectiles (Item #005) was located just north of the driveway at 944 Ellen Lane, on the grassy area next to the curb. Another projectile (Item #012) was located on the driveway at 945 Ellen Lane, just east of the sidewalk. There was a projectile (Item #013) located on the asphalt near the southwest corner of the covered vehicle at 953 Ellen Lane. The fourth projectile (Item #019) was located on the garage floor at 953 Ellen Lane between a red couch and red chair near the center of the west side of the garage.

Outside the hatch opening of the BEARCAT, on the passenger side of the turret, there was a Colt M4 Commando rifle, 5.56mm, with magazine (S/N: A0199574) (Item #001). The rifle was leaning against the side of the turret with the left side of the rifle facing up and the barrel up in the air and facing south. The safety was on. Det. PEARSLEY rendered the rifle safe at the scene. There was one (1) Winchester .223 REM cartridge in the chamber (Item #001.01) and twenty-seven (27) Winchester .223 REM cartridges in the magazine (Item #001.02). The magazine capacity was thirty (30). We were told during the walk-through that the rifle was used during the incident by Officer STANLEY and Det. PEARSLEY confirmed that Officer STANLEY normally loads thirty (30) rounds. There was also a pair of black sunglasses on the turret outside of the hatch opening next to the rifle.

There were a total of eleven (11) Winchester .223 REM expended cartridge casings at the scene. There was one (1) Winchester .223 REM expended cartridge casing (Item #004) lying on its side on top of the passenger side windshield wiper of the BEARCAT and another Winchester .223 REM expended cartridge casing (Item #003) on the asphalt below the front of the BEARCAT. There were six (6) casings on and near the blue Toyota Corolla (CA [REDACTED]). There was one (1) casing on the rear driver side window sill near the rear of the window (Item #006), one (1) casing on the black plastic grill just below the driver side windshield wiper resting against the edge of the hood (Item #007), and one (1) casing on top of the passenger side windshield wiper (Item #008). On the ground between the curb and the passenger side of the Corolla, there were three additional casings (Items #009-011). Item #011 was on the gutter west of the rear edge of the front passenger door, Item #010 was on the asphalt below the rear passenger door, and Item #009 was on the gutter next to the curb, just west of the rear passenger side tire.

There were three (3) casings inside 945 Ellen Lane in the kitchen (Items #022-024). The kitchen is near the southwest corner of the house. The kitchen had a window that faced south toward the garage at 953 Ellen Lane. This window was open and had white horizontal blinds that were drawn but open. There was a round hole in the window screen near the bottom. The window was above the sink. Item #022 was on the kitchen counter next to the southwest corner of the sink, Item #023 was on the kitchen counter west of Item #022, and Item #024 was on top of a container west of Item #023. The container had clear plastic wrap covering the top

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and the casing was lying on the plastic wrap.

There were several defects at the crime scene that appeared consistent with damage from a bullet. These defects were identified, documented, and measured by Criminalist SAUTKULIS under the supervision of Criminalist MULLIGAN. For further details on these defects, see Criminalist SAUTKULIS' report. SDSD personnel placed letters (white stickers) next to the defects to facilitate in orienting them in photographs. The defects were designated with the following letters:

<u>Letter</u>	<u>Location of Damage</u>
A	Damage (divot) to the ground (dirt) west of the rear of the Chevrolet Avalanche truck (CA [REDACTED]). There was also damage to the exterior tailgate of the truck.
B	Damage (divot) to the lower region of the tree in the front yard of 953 Ellen Lane southwest of the Chevrolet Avalanche truck (CA [REDACTED]).
C	Damage (hole) to the tree (above Defect "B") in the front yard of 953 Ellen Lane southwest of the Chevrolet Avalanche truck (CA [REDACTED]).
D	Damage (hole) to the exterior west wall (living room) of 953 Ellen Lane, south of the front door. There were related holes to the interior west wall of the living room (D2), east wall of the living room (D3 and D4), west wall of the hallway (D Hallway Exit), and related damage to the east wall of the hallway.
E	Damage (hole) to the exterior west wall (living room) of 953 Ellen Lane, above and south of D1. There was a related hole to the interior west wall of the living room (E2), south of D2.
F	Damage (divot) to the asphalt east of the front of the Chevrolet Avalanche truck (CA [REDACTED]). There was also asphalt debris on the hood of the truck and on top of the porch hand rail in this area.
G	Damage (ricochet defect) to the tile on the west edge (near the south corner) of the front porch of 953 Ellen Lane, southwest of the front door. There was related damage to the exterior west wall of 953 Ellen Lane, below and south of D1.
H	Damage (divot) to the exterior north garage wall in the area of the front porch of 953 Ellen Lane.
I	Damage (three defects) to the roof of the Chevrolet Sonic above the rear passenger window. There was related damage to the Chevrolet Avalanche truck (CA [REDACTED]) in the driver area that was labeled and photographed during subsequent processing of the truck.
J	Damage (hole) to the window screen of the south facing kitchen window of 945

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Ellen Lane. There were related holes in a red plastic container (bin) in the garage of 953 Ellen Lane, interior south garage wall, exterior south garage wall, and related damage (defect) to the wood fencing south of the garage. There was a metal fragment (Item #021) recovered from this defect.

There were additional defects on the Chevrolet Avalanche truck. Refer to my Vehicle Processing supplemental report for further information.

Following photography and evidence collection, Forensic Laboratory Intern [REDACTED] and I secured from the scene at approximately 2105 hours.

## **PHOTOGRAPHY:**

On 05/15/14, the following photographs were taken of the crime scene. The yellow placards, which are visible in various photographic views, were utilized when photographing the crime scene to facilitate in orienting and isolating various items that may have evidential value. The yellow placard numbers also directly correspond to the same numbers, which were utilized when collecting the respective items, and preparing the evidence list.

Commencing at approximately 1149 hours, using a Nikon D300 digital SLR camera (12MP), a Nikon SB-800 electronic flash, and a Nikkor AF-S VR 18mm-200mm lens, I took the following photographs in the RAW (NEF) file format:

- Overall views of Ellen Lane between Gustavo Street and 931 Ellen Lane
- Overall views of exterior west side of 945 Ellen Lane
- Overall views of interior south side of 945 Ellen Lane (entry way, living room, dining area, kitchen, and laundry area)
- Overall views of exterior of vehicles at scene:
  - Silver Ford Escape SUV (CA [REDACTED])
  - Dark Blue Toyota Tacoma Truck (CA [REDACTED])
  - Covered Vehicle East of Tacoma Truck
  - Silver Chevrolet Sonic (CA [REDACTED])
  - Silver Chevrolet Avalanche truck (CA [REDACTED])
  - Blue Toyota Corolla (CA [REDACTED])
- Overall views of exterior and interior black ECPD BEARCAT (CA Exempt 1372893)
- Overall views of exterior west side of 953 Ellen Lane
- Overall views of interior 953 Ellen Lane (living room, hallway, dining area, kitchen, and laundry area)
- Overall views of exterior and interior garage at 953 Ellen Lane
- Possible officer perspective views facing the north side of the garage at 953 Ellen Lane (in the area of the front of the Avalanche truck) from the following locations:
  - Turret of the BEARCAT
  - West (or passenger) side of the Toyota Corolla
  - North (or rear) side of the Toyota Corolla
  - South facing kitchen window inside 945 Ellen Lane
- Possible suspect perspective views from the north side of the garage at 953 Ellen Lane (in the area of the front of the Avalanche truck) facing the locations listed above
- Overall and close-up views of Evidence Items #001-028

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- Overall and close-up views of damage associated with Letters A-J
- Overall and close-up views of reddish brown stains on Avalanche truck
- Overall views of asphalt in the area of the Avalanche truck after truck removed

I took a total of seven hundred and fifty-three (753) photographs. The photography was completed at approximately 2059 hours on 05/15/14. These images were submitted to DIMS under Case Number 14-004264 (Item #D02).

## **EVIDENCE:**

At approximately 2139 hours on 5/15/14, I met with Det. BALDWIN outside of the ECPD Vehicle Processing Bay and he handed me the key to Temporary Storage Locker #081, which contained the suspect's clothing that was collected by Officer M. DOYLE at the hospital. On 5/21/14 at approximately 1655 hours, I retrieved the following items from Temporary Storage Locker #081 for submission to the Property & Evidence Unit:

Item # 032:	One (1) pair of dark blue Levi's 514 jeans, size 38x30, with black belt
Itemized # 032.01:	One (1) Sig Sauer P226, 9mm, magazine containing ten (10) FC 9mm Luger cartridges from front left pocket
Itemized # 032.02:	Four (4) twenty dollar bills, one (1) five dollar bill, three (3) quarters, one (1) dime, one (1) nickel, and one (1) penny (Currency = \$85.91) from front left pocket
Itemized # 032.03:	Two (2) plastic key cards with Pizza Hut advertisement from front left pocket
Item # 033:	One (1) pair of blue plaid boxers, size X
Item # 034:	One (1) quarter and one (1) penny (Currency = \$0.26)
Item # 035:	Two (2) white and gray Nike Jordan Flight athletic shoes, size 10
Item # 036:	Two (2) white athletic socks
Item # 037:	One (1) pair of handcuffs and two (2) purple nitrile gloves
Item # 038:	Two (2) yellow metal rings
Item # 039:	One (1) quarter (Currency = \$0.25)
Item # D05:	Four (4) digital images (taken of the suspect at the hospital by Officer Doyle)

With the assistance of Forensic Laboratory Intern [REDACTED], I collected the following items of evidence at the crime scene between 1636 and 2007 hours on 5/15/14:

Item # 001:	One (1) Colt M4 Commando rifle, 5.56mm, with magazine, S/N: A0199574
Itemized # 001.01:	One (1) Winchester .223 REM cartridge from chamber
Itemized # 001.02:	Twenty-seven (27) Winchester .223 REM cartridges from magazine
Item # 002:	One (1) Penn Arms PGL65-40 multi-launcher, 40mm, S/N: PG53620
Itemized # 002.01:	Six (6) Colt 38 Short, 40 mm, cartridge casings from cylinder
Item # 003:	One (1) Winchester .223 REM cartridge casing
Item # 004:	One (1) Winchester .223 REM cartridge casing

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Item # 005: One (1) expended 40mm sponge projectile  
Item # 006: One (1) Winchester .223 REM cartridge casing  
Item # 007: One (1) Winchester .223 REM cartridge casing  
Item # 008: One (1) Winchester .223 REM cartridge casing  
Item # 009: One (1) Winchester .223 REM cartridge casing  
Item # 010: One (1) Winchester .223 REM cartridge casing  
Item # 011: One (1) Winchester .223 REM cartridge casing  
Item # 012: One (1) expended 40mm sponge projectile  
Item # 013: One (1) expended 40mm sponge projectile  
Item # 014: One (1) FC 9mm Luger cartridge casing  
Item # 015: One (1) expended bullet  
Item # 016: One (1) Sig Sauer P226, 9mm, black handgun with magazine, S/N: 47A026595  
Itemized # 016.01: One (1) FC 9mm Luger cartridge from the chamber  
Itemized # 016.02: Eight (8) FC 9mm Luger cartridges from magazine  
Item # 017: One (1) swab of reddish brown stains from garage floor  
Item # 018: One (1) blue pullover hooded sweatshirt with "SDSU" on front, cut-up with reddish brown stains  
Item # 019: One (1) expended 40mm sponge projectile  
Item # 020: One (1) metal fragment  
Item # 021: One (1) metal fragment  
Item # 022: One (1) Winchester .223 REM cartridge casing  
Item # 023: One (1) Winchester .223 REM cartridge casing  
Item # 024: One (1) Winchester .223 REM cartridge casing  
Item # 025: One (1) white plastic bottle of "Crown" brand Muriatic Acid (approx. 1/4 full)  
Item # 026: Seven (7) knives (various sizes) from washing machine  
Item # 027: Two (2) pairs of scissors from washing machine  
Item # 028: One (1) red and black "King" long neck utility lighter from washing machine

**DISPOSITION OF EVIDENCE:**

All photographs and/or evidence are retained in the files of the El Cajon Police Department Forensic Laboratory and Property Room unless otherwise noted.

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**Analysis Performed by:**

Sarah Peterson - Evidence Technician

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**Administrative Review:**

Julie Palos - Crime Lab Manager





**Technical Review:**

A handwritten signature in black ink, reading "Tara Fruchtenicht". The signature is written in a cursive, flowing style.

Tara Fruchtenicht - Evidence Technician